

FILED

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 U.S. DISTRICT COURT E.D.N.Y.
 ★ *Received by* APR 13 2007 ★

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

SUSAN J. RUSSO,

Plaintiff,

- against -

UNITED STATES OF AMERICA and
MICHAEL WESOLOWSKI,

Defendants.

X STIPULATION AND ORDER OF TRANSFER
11 A.M. P.M.
 TO THE SOUTHERN DISTRICT OF NEW YORK

Civil Action
 No. CV-06-6107

(Weinstein, J.)

X

WHEREAS, plaintiff filed a complaint on or about November 15, 2006, in the Eastern District of New York, pursuant to the Federal Tort Claims Act, 28 U.S.C. § 2671, et seq., and

WHEREAS, copies of the summons and complaint were served on the United States Attorney's Office for the Eastern District of New York on or about March 15, 2007, and

WHEREAS, the complaint alleges that plaintiff is a resident of New York County and that the incident at issue took place in New York County, and

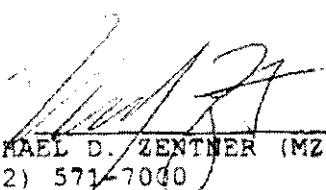
WHEREAS, 28 U.S.C. § 1402(b) provides that this action "may be prosecuted only in the judicial district where plaintiff resides or wherein the act or omission complained of occurred," and

WHEREAS, plaintiff and defendant United States of America consent to the transfer of this action to the Southern District of New York,

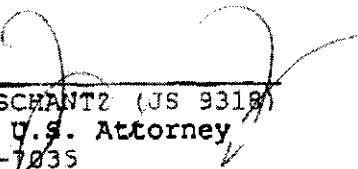
IT IS STIPULATED AND AGREED, by and between plaintiff and defendant United States of America, that this action be transferred, pursuant to 28 U.S.C. § 1406(a), to the Southern District of New York.

March 23, 2007

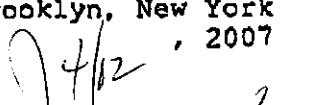
PETROCELLI & CHRISTY LLP
Attorneys for Plaintiff
217 Broadway
Suite 505
New York, New York 10007

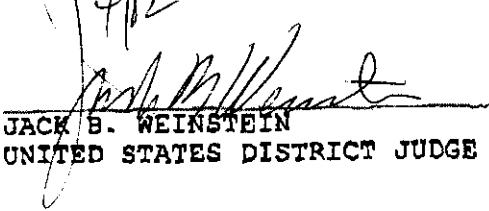
By: 
MICHAEL D. ZENTNER (M22760)
(212) 571-7000

ROSLYNN R. MAUSKOPF
United States Attorney
Eastern District of New York
Attorney for Defendant
United States of America
147 Pierrepont Plaza
Brooklyn, NY 11201

By: 
JENNIFER SCHANTZ (JS 9318)
Assistant U.S. Attorney
(718) 264-7035

SO ORDERED:

Brooklyn, New York

, 2007


JACK B. WEINSTEIN
UNITED STATES DISTRICT JUDGE